

REMARKS

Claims 1 and 3-17 are pending. Claims 1 and 4-6 are amended. Claims 7-17 are newly added. Claim 2 is cancelled without prejudice or disclaimer.

The claim amendments are supported by the application as originally filed, for instance, at page 17, lines 9-29 and page 18, lines 3-18. No new matter has been added.

In the Office Action of February 2, 2005 the following claim rejections were issued:

- Claims 1-6 were provisionally rejected under 35 U.S.C. § 101 for statutory double patenting in view of U.S. Patent Application No. 10/017,439 (Attorney Docket No. SUN1P436/P6519)
- Claims 1-6 were rejected under 35 U.S.C. § 102(e) as anticipated by Menzies et al. (U.S. Patent No. 6,317,748)

Applicant respectfully submits that these rejections should be withdrawn in view of the claim amendments above.

Provisional Double Patenting

The MPEP states, “[i]n determining whether a statutory basis for a double patenting rejection exists, the question to be asked is: Is the same invention being claimed twice?” MPEP § 804. “Same invention” means identical subject matter. *Id.*

Here, the same invention is not being claimed twice. For example, claim 1 in the present application defines a method for accessing management information in CIM-format transferred by an SNMP agent in SNMP-format. Among other things, the method of claim 1 includes “receiving a data request from a *CIM object manager* including CIM data objects; and mapping the data request into an *SNMP request*.” (Emphasis added). By contrast, claim 1 in the ‘439 application, in its present form, recites “receiving a request message from an *SNMP client*; and mapping the request message into *CIM formats*.” (Emphasis added). Because features of claim

1 and other claims of the present application are not claimed in the '439 application, the double patenting rejection is improper and should be withdrawn.

Claim Rejections Under 35 U.S.C. § 102

Claim 1 defines a method for accessing management information in CIM-format transferred by an SNMP agent in SNMP-format. Claim 1, as newly amended, recites features which Menzies fails to disclose or suggest, including:

- receiving a data request from a CIM object manager including CIM data objects;
- mapping the data request into an SNMP request;
- determining session parameters for a communications session with the SNMP agent, including:**
 - requesting a configuration class instance from the CIM object manager matching a group name and a system name associated with the SNMP request,**
 - receiving from the CIM object manager identification of a configuration class instance matching the group name and the system name,**
 - retrieving SNMP session parameters defined by the identified configuration class instance, and**
 - establishing the communications session with the SNMP agent using the retrieved SNMP session parameters;**
- transmitting the request to the SNMP agent; and
- receiving a response to the SNMP request message from the SNMP agent.

(Emphasis added).

Embodiments of the method of claim 1, often performed by a SNMP provider, include the benefit of determining particular SNMP session parameters for a communications session between the SNMP provider and an SNMP agent. Using a specified group name and system name, a configuration class instance matching the group name and system name can be constructed. Specific SNMP session parameters can be defined by that configuration class instance. Thus, more than one configuration class instance can be defined, each having its own

SNMP session parameters. When the communications session is to be established, the particular SNMP session parameters for that session is dependent on the submitted system name and group name, that is, the configuration class instance matching that group name and the system name.

Menzies fails to disclose or suggest any scheme for establishing a communications session with an SNMP agent, unlike claim 1. In large part, the teachings of Menzies have to do with translating MIB objects (associated with SNMP) to MOF classes (associated with CIM). (col. 12, lines 8-30; col. 13, lines 48-65; Fig. 6). Menzies states that a CIMOM 70 passes client requests to object providers 72, and that these providers gather data from devices using mechanisms such as SNMP (col. 6, lines 19-24, 44-50). However, it seems Menzies assumes that a communications session is somehow established between the CIMOM 70 and object providers so that information can be received from the providers 72. Menzies fails to disclose or suggest how the CIMOM 70 and providers 72 initiate, establish, and maintain communications with one another to communicate client requests, much less any scheme by which the particular SNMP parameters used to establish a communications session are retrieved by identifying a configuration class instance which matches a system name and a group name associated with the SNMP request. The method of claim 1, on the other hand, provides these novel features.

Because Menzies fails to disclose or suggest: “determining session parameters for a communications session with the SNMP agent, including: requesting a configuration class instance from the CIM object manager matching a group name and a system name associated with the SNMP request, receiving from the CIM object manager identification of a configuration class instance matching the group name and the system name, retrieving SNMP session parameters defined by the identified configuration class instance; and establishing the communications session with the SNMP agent using the retrieved SNMP session parameters,” as recited in claim 1, Menzies does not anticipate newly amended claim 1 under 35 U.S.C. § 102. This rejection should be withdrawn.

Independent claims 5 and 12 incorporate similar features as claim 1 and are, therefore, patentable for similar reasons as claim 1.

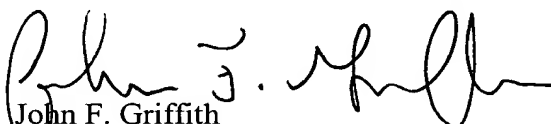
Dependent claims 3, 4, 6-11 and 13-17 incorporate all of the features of the independent claims on which they are based and are, therefore, patentable for at least the same reasons as those independent claims.

CONCLUSION

In view of the above Remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 500388 (Order No. SUN1P437).

Respectfully submitted,
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